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In the

SUPREME COURT OF THE UNITED STATES

Term, 1966

No. 1024

LEE ROBINSON
Petitioner,

against

STATE OF CONNECTICUT
Respondent.

PETITION FOR WRIT OF CERTIORARI

Joan Robinson,
Parent and Natural Guardian
for Defendant Lee Robinson
58 Main Street
Ridgefield, Conn.

In the

SUPREME COURT OF THE UNITED STATES
Spring Term, 1966

No.

LEE ROBINSON,
Petitioner,
against

STATE OF CONNECTICUT,
Respondent.

PETITION FOR WRIT OF CERTIORARI

Petitioner prays that this Court grant Petition for Writ of Certiorari, and that a writ of certiorari issue to review the judgment of the Supreme Court of Errors of the State of Connecticut in the above-entitled case as prayed for in the petition.

REASONS FOR ISSUING WRIT OF CERTIORARI

1. Defendant, when he was 16 years of age, was found guilty of violating Connecticut Statute 53-75, Breaking and Entering Without Permission, resulting in his being given a criminal record for the rest of his life. The facts are that he entered what for all intent and purpose was an empty and deserted

building in an attempt to help a friend. No vandalism, larceny or any criminal act of any nature whatsoever was contemplated or committed. The official reports which are involved in this case are attached hereto as follows:

1. Transcript of trial dated March 12, 1964.
2. Appeal taken before the Appellate Division of the Circuit Court, April term 1965.
3. Negative decision by Appellate Court dated May 13, 1965.
4. Petition for Certification by Supreme Court of Errors dated October 10, 1965.
5. Order Denying Certification dated November 9, 1965.

The decree sought to be reviewed is the Order Denying Certification by the Supreme Court of Errors of the State of Connecticut dated November 9, 1965, which order gives no reason for its denial.

It is believed this Court has jurisdiction to review the judgment in question because it is felt that the judgment is a violation of Article VIII of the Constitution of the United States which declares that no cruel and unusual punishments are to be inflicted. Punishing a boy of 16 for the rest of his life with a criminal record is a cruel and unusual punishment when no criminal act was even thought of, much less carried out.

Defendant did not violate Connecticut Statute 53-75 since the building entered was

not one used as a place for the custody of property and has been so declared by the legal owners, which facts are cited in detail on page 12 of the Petition for Certification.

The two questions presented for review are:

1. Is an unoccupied garage on unoccupied residential property containing three items of abandoned junk awaiting removal to the dump a building "used as a place for the custody of property" within the meaning of Gen. Stat. Sec. 53-75.

2. Can a boy be marked as a criminal for the rest of his life by the State of Connecticut on the word of a caretaker employed only to see that no malicious damage was done to an unoccupied piece of property by visiting it occasionally, without his ever having notified the legal owners of said property of this incident or having seen Defendant on said property, when Defendant was not guilty of any malicious damage or any harm of any kind to any person or thing.

It is believed that the Supreme Court of Errors in Connecticut in upholding the conviction of the lower courts in this instance has perpetuated a grave injustice to a boy whose actions two years ago indicated a lack of mature judgment, not criminal thinking or acting and therefore the intervention of this Court is sought.

Respectfully submitted,

Joan Robinson
Parent and Natural Guardian
for Defendant Lee Robinson

February 3, 1966